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DATE MAILED: 11/30/2006

	APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-	10/786,169	02/26/2004	Andreas Hayden	080437.53242US	3465
	23911 7:	23911 7590 11/30/2006		EXAMINER	
	0110 222	& MORING LLP	_	TO, TUAN C	
	INTELLECTUAL PROPERTY GROUP P.O. BOX 14300 WASHINGTON, DC 20044-4300		P	ART UNIT	PAPER NUMBER
				3663	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
	10/786,169	HAYDEN, ANDREAS				
Office Action Summary	Examiner	Art Unit				
	Tuan C. To	3663				
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
Status	•					
1)⊠ Responsive to communication(s) filed on 27 Se	1) Responsive to communication(s) filed on <u>27 September 2006</u> .					
	action is non-final.	•				
3) Since this application is in condition for allowar	nce except for formal matters, pro	secution as to the merits is				
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims						
. (4) Claim(s) <u>8-25</u> is/are pending in the application.						
4a) Of the above claim(s) is/are withdray						
5) Claim(s) is/are allowed.	·					
6) Claim(s) is/are rejected.						
7) Claim(s) is/are objected to.		•				
8) Claim(s) <u>8-25</u> are subject to restriction and/or e	election requirement					
· · · · · · · · · · · · · · · · · · ·	notion requirement.					
Application Papers	•					
9)☐ The specification is objected to by the Examiner.						
10)⊠ The drawing(s) filed on <u>06 September 2005</u> is/are: a)⊠ accepted or b) \square objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).						
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
Priority under 35 U.S.C. § 119						
12)⊠ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)⊠ All b)□ Some * c)□ None of:						
1. Certified copies of the priority documents	1. Certified copies of the priority documents have been received.					
2. Certified copies of the priority documents have been received in Application No						
3. Copies of the certified copies of the priority documents have been received in this National Stage						
application from the International Bureau (PCT Rule 17.2(a)).						
* See the attached detailed Office action for a list of the certified copies not received.						
Attachmont/c)						
Attachment(s) 1) Notice of References Cited (PTO-892)	4) Interview Summary	(PTO_413)				
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Da					
3) Information Disclosure Statement(s) (PTO/SB/08)	5) Notice of Informal P	atent Application				
Paper No(s)/Mail Date	6)					

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Election/Restrictions

1. Upon review of applicant's response dated 09/27/2006, it is noted that a restriction/election is warranted. Any inconvenience to applicant is regretted.

2. Restriction is required under 35 U.S.C 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claims 8-20, drawn to a process.

Group II, claims 14, and 21-25, drawn to an apparatus.

- 3. The inventions listed as Groups I, II, and III do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: In the present case there is no common "special technical feature" because the general inventive concept as set forth in the claims does not define over the prior art. Applicant inventions, ie, the claimed apparatus is not provided to perform the claimed process do not fall within the permissible invention categories of PCT Rule 13.2 and 37 CFR 1.475.
- 4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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Conclusions

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan C To whose telephone number is (571) 272-6985. The examiner can normally be reached on from 8:00AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner,

Tuan C To

November 21, 2006

Art Unit: 3663

Conclusions

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Patent Examiner,

Tuan C To

November 21, 2006